

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORKTahim Small A.K.A Ronald Woodton13 Civ 1292  
(LGS) (ATP)

(In the space above enter the full name(s) of the plaintiff(s).)

Amended  
COMPLAINT

under the

Civil Rights Act, 42 U.S.C. § 1983  
(Prisoner Complaint)

-against-

Patrick J. Ronaye Police Officer  
Gomez Police Commissioner Raymond  
Kelly A.D.A Ms Earnhart Police Officer  
Deron Willis, Police Officer Danda Perez  
Police officer Gina Gazzola Police  
officer Porfiro Ramos Legal Aid  
Lawyer Ms RubenskiJury Trial: ☒ Yes ☐ No  
(check one)

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 8/9/2013

## I. Parties in this complaint:

- A. List your name, identification number, and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff Name McTahim Small A.K.A Ronald Woodton  
ID # 3491213611  
Current Institution A.M.K. C. C-95  
Address 18-18 Hazen Street  
East Elmhurst N.Y. 11370

- B. List all defendants' names, positions, places of employment, and the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1 Name Patrick J Ronayne Shield #  
Where Currently Employed 230 E 124 St 230 E 124 St  
Address 230 E 124 St  
New York N.Y. 10007

Defendant No. 2 Name Officer Gomez Shield # 00417  
 Where Currently Employed P.S.A 5 Housing Police  
 Address 230 E 124 Street  
New York, N.Y.

Defendant No. 3 Name Deron Willis Shield # 02806  
 Where Currently Employed P.S.A 5 Housing Police  
 Address 230 E 124 Street  
New York N.Y.

Defendant No. 4 Name Quanda Perez Shield # 24314  
 Where Currently Employed P.S.A 5 Housing Police  
 Address 230 E 124 Street  
New York, N.Y.

Defendant No. 5 Name Gina Gazzola Shield # 03385  
 Where Currently Employed Housing P.S.A 5 Police  
 Address 230 E 124 Street  
New York N.Y.

## II. Statement of Claim:

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

- A. In what institution did the events giving rise to your claim(s) occur?  
New York Supreme Court
- B. Where in the institution did the events giving rise to your claim(s) occur?  
Part 82
- C. What date and approximate time did the events giving rise to your claim(s) occur?  
November 29, 2011 Approximately 2:31 P.M.

Defendant No. 6 Porfirio Ramos shield # 11887

Currently employed P.S.A 5 Housing Police

Address 230 E 124 Street

New York, N.Y.

Defendant No 7 Police Comm. Raymond Kelly

Currently employed 1 Police Plaza

address 1 Police Plaza (Headquarters)

New York, N.Y. 10007

Defendant No 8 A.D.A Ms. Earnhart

Currently employed District Attorney Office

Address 1 Hogan Place

New York, N.Y. 10013

Defendant No 9 Legal Aid Lawyer Ms Rubenski

Currently employed Legal Aid Society

Address 49 Thomas Street

New York N.Y. 10013

D. Facts: On November 29, 2011 at approx 2:31 PM I was falsely arrested by Police Officer Deron Willis, Danda Perez, Gina Gazzola, Porfirio Barros without Probable Cause and/or reading of my miranda rights. But for the sole purpose to harass, and unlawfully imprisonment. Without warning I was cuffed and unlawfully detained and taken to P.S.A. 5 precinct where holding cell I was ~~pta~~ unlawfully detained reeked of urine and feces, for the next 8 to 10 hours, without food or drink. I was kept in that Raunchy Cell in a malicious and sadistic manner by all the Police officer named in Complaint. All Police Officer did not have a description of alleged burglar that Mr Patrick J. Ronayne reported on November 29, 2011 approx 2:31 P.M. On such day 11/29/11 Mr Patrick J. Ronayne made a false Complaint of me burglarizing his building with an alleged weapon. However Ms Earnhart chose to pursue ~~se~~ alleged Burglary without supporting evidence. Some how Ms Earnhart present case to Grand Jury and obtain an indictment for lesser charge. My lawyer at that present time is Ms Rubenski from legal aid Society waived my

What happened to you?

Who did what?

Was anyone else involved?

Who else saw what happened?

### III. Injuries:

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received. Loss of Freedom, name Slandered and reputation in Community as Law abiding Citizen, + suffered grave hardship without loved one, My kids suffered hardship with sudden single parent home and Financial strain. Being in fear of life being locked up with rapist, murderers and gang bangers. Loss of wages and emotional distress, Fear of future retaliation By any N.Y.P.D office throughout N.Y.C all five Boro's

### IV. Exhaustion of Administrative Remedies:

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted." Administrative remedies are also known as grievance procedures.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

Yes ☒ No ☐

rights to face my accuser in the Grand Jury without my consent or signature. That's violation of my United State Constitution 14<sup>th</sup> due process. The Honorable Judge Solomon Kick out minutes evidence before grand jury was legally insufficient to support charges. Mr Patrick Somehow forgot that he placed me at crime and having such deadly weapon like stated in Omni Complaint # 2011-025-07339. However on my Rap sheet charges contradict Omni Complaint "Weapon - 3rd Bomb/silencer/machinegun etc. I was falsely accused of alleged burglary which violate my constitution of the United States, No probable cause to arrest Amendment 4, unlawful imprisonment, cruel unusual punishment by ~~det~~ unlawfully detaining me in cell with squalid living conditions.

That's violates Amendment 8. Which violates minimum standards of Board of Corrections in having all detainees in their care, custody and control. Reasonable Assurance of care that does not rise to the level of torture and implicate Negative values of human rights and cause to discriminate against me. because color of my skin. Which was the sole purpose of my arrest. Defendant Patrick J Ronayne never gave a description of alleged burglars. Defendant Police Commissioner Raymond Kelly is liable in that being responsible for the act of subordinates failed to either teach and/or train the defendants Police officer named in complaint to gather evidence and make arrest that in fact are outside the scope of the Constitution that gives rise to a citizen liberty interest with the highest standards of integrity.

If YES, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

P.S.A. 5 Precinct Manhattan  
County

B. Does the jail, prison or other correctional facility where your claim(s) arose have a grievance procedure?

Yes ☐ No ☒ Do Not Know ☐

C. Does the grievance procedure at the jail, prison or other correctional facility where your claim(s) arose cover some or all of your claim(s)?

Yes ☐ No ☒ Do Not Know ☐

If YES, which claim(s)? not Applicable

D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose?

Yes ☐ No ☒

If NO, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

Yes ☒ No ☐

E. If you did file a grievance, about the events described in this complaint, where did you file the grievance?

P.S.A. 5 Precinct / court Appearance to lawyer

1. Which claim(s) in this complaint did you grieve? \_\_\_\_\_

All of them

2. What was the result, if any? No one responded. But case

was eventually dismissed

3. What steps, if any, did you take to appeal that decision? Describe all efforts to appeal to the highest level of the grievance process. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here: \_\_\_\_\_

Because I'm layman to Law

\_\_\_\_\_  
\_\_\_\_\_

2. If you did not file a grievance but informed any officials of your claim, state who you informed, \_\_\_\_\_



when and how, and their response, if any:

During court appearance

- G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

I was distraught by being unlawfully imprisoned and in fear of my life from being in that inhumane cell at precinct

**Note:** You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.

**V. Relief:**

State what you want the Court to do for you (including the amount of monetary compensation, if any, that you are seeking and the basis for such amount). Plaintiff seeks Damages from all the defendants named herein in their individual and official capacity in pain and suffering from the false arrest and unlawful imprisoned in the amount of (\$5) five million dollars. Plaintiff seeks the mandatory of \$750<sup>00</sup> daily payment for each day spent unlawfully locked up. Finally Plaintiff seeks (\$5) five million for punitive damages and financial strain on my family, and emotion stress on me and family. Plaintiff also request that this court order defendant Commissioner Kelly to adopt a policy that when these officers of New York City P.S.A 5 make arrest that they do a thorough investigation and gather evidence that strongly suggest that someone of color has committed said crime and that their miranda rights are protected and right to counsel that going to help and not hurt client

**VI. Previous lawsuits:**

- A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

Yes ☐ No ☒

On  
these  
claims



- B. If your answer to A is YES, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another sheet of paper, using the same format.)

1. Parties to the previous lawsuit:

Plaintiff Not Applicable

Defendants \_\_\_\_\_

2. Court (if federal court, name the district; if state court, name the county) Not Applicable

3. Docket or Index number u cc

4. Name of Judge assigned to your case S cc

5. Approximate date of filing lawsuit u cc

6. Is the case still pending? Yes ☐ No ☒

If NO, give the approximate date of disposition \_\_\_\_\_

7. What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?)

Not Applicable

On  
other  
claims

- C. Have you filed other lawsuits in state or federal court otherwise relating to your imprisonment?

Yes ☐ No ☒

- D. If your answer to C is YES, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same format.)

1. Parties to the previous lawsuit:

Plaintiff Not Applicable

Defendants \_\_\_\_\_

2. Court (if federal court, name the district; if state court, name the county) \_\_\_\_\_

3. Docket or Index number \_\_\_\_\_

4. Name of Judge assigned to your case \_\_\_\_\_

5. Approximate date of filing lawsuit \_\_\_\_\_

6. Is the case still pending? Yes ☐ No ☐

If NO, give the approximate date of disposition \_\_\_\_\_

7. What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?)

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 25 day of July, 2013

Signature of Plaintiff

Inmate Number

Institution Address

Tahim Small A.K.A. Ronald Woodette  
3491213611  
A.M.K.C C-95  
18-18 Hazen St  
East Elmhurst N.Y  
11370

**Note:** All plaintiffs named in the caption of the complaint must date and sign the complaint and provide their inmate numbers and addresses.

I declare under penalty of perjury that on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, I am delivering this complaint to prison authorities to be mailed to the *Pro Se* Office of the United States District Court for the Southern District of New York.

Signature of Plaintiff:

Tahim Small A.K.A. Ronald Woodette

ANTONIO MIGUEL FRAZIER  
COMMISSIONER OF DEEDS  
No. 2-13375  
Qualified in Queens County  
Commission Expires July 1 2014

8/1/13

Antonio M. Frazier

Tahim Small A.K.A Ronald Woodton  
against

13 Civ  
(LGS) (ATJ)

Patrick K. J. Ronayne et al

Affirmation  
of Service

I Tahim Small A.K.A. Ronald Woodton declare under  
Penalty of Perjury that I have served a copy  
of attached Amended Complaint Upon Cynthia  
M. Sittnick whose address is Special Assistant  
Corporation Counsel ~~One~~ whose address is One  
Hogan Place, New York, N.Y. 10013 by depositing  
a true copy of same, enclosed in a securely  
and properly addressed envelope by U.S. Postal  
Service.

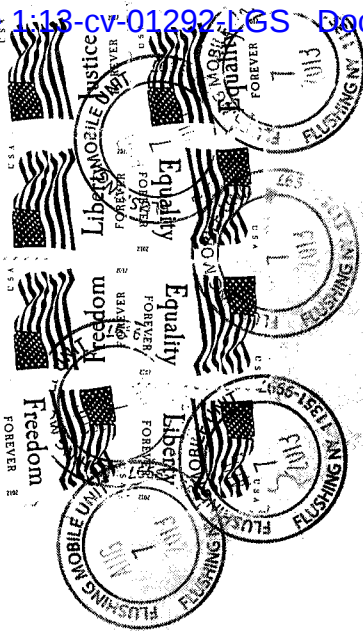
Dated New York New York  
July 25, 2013

Tahim Small A.K.A.  
Ronald Woodton  
18-18 Hazen St  
East Elmhurst, N.Y.  
11370

ANTONIO MIGUEL FRAZIER  
COMMISSIONER OF DEEDS  
No. 2-13375  
Qualified in Queens County  
Commission Expires July 1 2014

8/1/13

Antonio M. Frazier



Jim Small  
491213611  
3-18 Hazen St  
ast Elmhurst, N.Y. 11370

United States District Court  
Southern District of New York  
U.S. Courthouse 500 Pearl Street  
New York, N.Y. 10007

PRO-SE  
08/09/13

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